

BEST AVAILABLE COPY**RECEIVED
CENTRAL FAX CENTER****AUG 22 2006
PATENT****Practitioner's Docket No. 2003DE126****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Volker Hoellein et al.

Application No.: 10/567,308

Group No.:

Filed: February 3, 2006

For: Continuous Method for the Production of a Pigment Masterbatch

Commissioner for Patent**P.O. Box 1450****Alexandria, VA 22313-1450****INFORMATION DISCLOSURE STATEMENT**

CERTIFICATION UNDER 37 C.F.R. Sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. section 1.8(a)**37 C.F.R. section 1.10***

- ☐ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Address" Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ transmitted by facsimile to the Patent and Trademark Office (571) 273-8300.

Date:

August 22, 2006

Signature

Jackie L. Wise

Jackie L. Wise

(type or print name of person certifying)

***WARNING:**

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).

"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

BEST AVAILABLE COPY

Applicant Volker Hoellein et al.:

Serial No. 10/567,308

Page 2

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith).

1. ☒ Enclosures accompanying this Information Disclosure Statement are:
 - 1a. ☒ Form PTO/SB/08A.
 - 1b. ☒ Copies of Information Disclosure Statement citations.
 - 1c. ☐ PCT Search Report
 - 1d. ☐ Copies of Co-pending U.S. Applications.
2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) with the filing of the U.S. patent application. Accordingly, no fee or §1.97(e) Statement is required.
3. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 03-2060.
5. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(e) in that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Accordingly, no fee is required.
6. ☐ This Information Disclosure Statement is filed in conjunction with a Request For Continued Examination. Accordingly, no fee or §1.97(e) Statement is required.

BEST AVAILABLE COPY

BEST AVAILABLE COPY

Applicant Volker Hoellein et al.:

Serial No. 10/567,308

Page 3

7. ☐ The English language documents identified by reference in the TRANSLATION Section of the foreign patents list of the attached PTO/SB/08A Form are believed to be a concise statement, or the equivalent or substantial equivalent to the foreign language documents cited in the attached Form PTO/SB/08A.
8. ☒ EP 0487987 is provided herewith, while the remaining references cited in the enclosed English Translation of the PCT IPER, were cited, and copies provided in, the IDS facsimile transmitted on April 4, 2006.

Respectfully submitted,



Anthony A. Bisulca

Registration No. 40,913

CUSTOMER NO. 25,255

Clariant Corporation
Industrial Property Department
4000 Monroe Road
Charlotte, North Carolina 28205
Telephone: 704/331-7151
Facsimile: 704/331-7707

BEST AVAILABLE COPY

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0691 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/567,308
		Filing Date	February 3, 2006
		First Named Inventor	Volker Hoellein
		Art Unit	
		Examiner Name	
Sheet	1	of	1
		Attorney Docket Number	2003DE126

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code 2 of 3 (if known)			
	AA				
	AB				
	AC				
	AD				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Foreign Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation	T ²
		Country Code ³ - Number ⁴ - Kind Code 5 of 3 (if known)				
	BA	EP 0487987	6/3/1992	EPO	English	<input type="checkbox"/>
	BB					<input type="checkbox"/>
	BC					<input type="checkbox"/>
	BD					<input type="checkbox"/>

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	CA	English Translation of PCT International Preliminary Patentability Report for PCT/EP 2004/008420, mailed July 26, 2006.
	CB	
Examiner Signature		Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, MA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.